

Summary
Text & Map Amendments
Chapter 27.58, Airport Environs Noise District
As Adopted by City Council August 2, 2004

27.58.010 Scope of Regulations.

- ☐ Amend all “Ldn” references to “DNL” to reflect the 2002 FAR Part 150 Noise Compatibility Study.
 - ◆ This change reflects the preferred method in which the Federal Aviation Administration represents the sound level metric “Day Night Average Sound Level or DNL” used in determining the 24-hour annual average weighted sound level – as measured in decibels.

27.58.020 Definitions.

- ☐ Amend to delete all number “1” references following Airport Environs Noise District. (Throughout Chapter)
- ☐ Amend the date of map adoption to reflect new Airport Environs Noise District date of adoption.
- ☐ Amend the Airport Environs Noise District Map and legal description to reflect new areas included in the District to reflect the 2002 FAR Part 150 Noise Compatibility Study.
- ☐ Amend the Airport Environs Noise District Map to incorporate the 2002 noise contour lines and incorporate the 60 DNL noise contour into the regulations to reflect the 2002 FAR Part 150 Noise Compatibility Study.
- ☐ Amend the definition of habitable space to add “*solariums*” and “*sunrooms*” as areas not considered habitable space.

27.58.050 Permitted Uses in Relation to Noise Exposure Levels.

- ☐ Amend the language to add “*any use permitted under Section 27.58.030 shall*” to section (a).
 - ◆ This change states that any use permitted in the underlying zoning

district is allowed in the District, provided it is also permitted in the noise exposure levels as shown in Figure 27.58.050, the generalized use matrix.

- Amend the list of permitted uses in Section (a)(1) through (4) for each noise exposure level to reflect the 2002 FAR Part 150 Noise Compatibility Study. This change includes deleting the list of permitted uses in each noise exposure level, and replacing with Figure 27.58.050.
- ◆ Figure 27.58.050 is a generalized use matrix that identifies permitted uses for each noise exposure level. The uses identified in the proposed LMC are more generalized than the land use categories in the current LMC.
- Amendments to the current LMC noise-related restrictions, noise exposure levels and other regulations are further detailed below:
 - ◆ The following proposed noise-related regulations for generalized land uses would be considered **more** restrictive than the current LMC:

Permitted Uses (Proposed Regulations)	Day Night Average Sound Level (DNL) not to exceed	
	Current LMC Equivalent	Proposed LMC
Residential	70	65
Park facilities	70	65
Cemeteries, mausoleums and undertaking establishments	75	70
Indoor sport and recreation facilities	75 or no restrictions	70
Outdoor sport and recreation facilities	75	65
Race Tracks for Motorized Vehicles	75	70

- ◆ The following proposed noise-related regulations for generalized land uses would be considered **less** restrictive than the current LMC:

Permitted Uses (Proposed Regulations)	Day Night Average Sound Level (DNL) not to exceed	
	Current LMC Equivalent	Proposed LMC
Indoor entertainment facilities	65	70

- ◆ The uses identified in the proposed LMC provides a more generalized land use category “equivalent” than the uses shown in the current LMC. The following table shows the differences between the current and proposed LMC:

Revisions to Land Use Categories	
Current LMC	Proposed LMC Equivalent
Housing for the elderly, Mobile home courts	All residential uses
Libraries, Schools	Educational facilities
Churches	Religious facilities
Health Care facilities	Health facilities
Amusements, Auditoriums, Bowling Alleys, Concert Halls, Fishing, Music Shells, Riding, Skating Rinks, Spectator Sports, Sports Arenas, Tennis Courts, Theaters, Water Sports, Other Recreational facilities	Indoor or Outdoor: sport, recreation, or entertainment facilities
Playgrounds, Neighborhood parks	Parks facilities
Construction Services, Governmental Service Personal Business, Financial Institutions, Veterinary facilities and kennels	Offices, retail or service businesses
Extensive natural recreational areas	Open space and natural areas
Bars	Drinking establishments
Warehouse, Wholesale	Storage or Distribution facilities
Animal breeding	Breeding

Agriculture, Forestry	Farming
Historical preservation	No similar use identified
Wind energy conversion systems	Utility

- ◆ The following land use categories have been added to the list of uses identified in the proposed LMC. These uses have no equivalent land use in the current LMC:

Childcare facilities
Race Tracks for Motorized Vehicles
Service Stations
Parking Lots
Signs

27.58.060 Conditional Permitted ~~Residential~~ Uses in Relation to Noise Exposure Levels.

- ☐ Amend the title to delete “*Residential.*” (See Above)
- ☐ Amend Section (a) to add “*for a use designated Y [1]*” to more clearly identify those buildings or premises that are permitted in the Airport Environs Noise District and required to incorporate acoustical features as a condition of approval.
- ☐ Amend the text to eliminate subsections (1) through (3) and (5) as follows:
 - ◆ Delete review requirements of site plans for proposed building or buildings in areas between Ldn 65 line and Ldn 70 noise contour lines in subsection (1);
 - ◆ Delete design requirements to minimize the impact of noise in subsection (1);
 - ◆ Delete site plan submittal requirements in subsection (2);
 - ◆ Delete timeline schedule for review process in subsection (3); and
 - ◆ Delete appeal procedures if the site plan is not approved in subsection (5).

- Amend the conditional use requirements to reflect the 2002 FAR Part 150 Noise Compatibility Study, and administrative practices of the City of Lincoln. Amend subsection (4) as follows:
 - ◆ Add “*multiple-glazed doors*” in subsection (i)C.;
 - ◆ Delete “*Storm windows*” in subsection (ii);
 - ◆ Delete “*window or dome*” and add “*venting*” in subsection (iii);
 - ◆ Add “*Commercial cooking areas are exempt from these conditions*” in subsection (iv); and
 - ◆ Delete subsection (v) on workmanship

- Figure 27.58.050 indicates where general land uses are permitted, and which buildings or premises are required to incorporate acoustical features as a condition of approval. In the current LMC non-residential uses are **not** required to incorporate acoustical features in buildings or premises. The proposed LMC requires the incorporation of acoustical features as a condition of approval for the following uses which are not required in the current LMC, where permitted:
 - ◆ Education and religious facilities
 - ◆ Health and childcare facilities
 - ◆ Offices, retail and service businesses, restaurants, eating and drinking establishments

- The proposed LMC requires the incorporation of acoustical features as a condition of approval for residential uses above the 60 DNL noise contour line, where permitted. The current LMC requires this standard above the 65 DNL noise contour line.

27.58.080 ~~Avigation and Noise Easements; Covenant, Notice and Acknowledgment.~~

- Amend the title to delete “*Covenant, Notice and Acknowledgment.*” (See Above)

- Amend the language to delete all references to “*covenant, notice, and acknowledgment*” to reflect the 2002 FAR Part 150 Noise Compatibility Study, and administrative practices of the City of Lincoln and Lincoln Airport Authority.
 - ◆ The current LMC references a requirement for both an avigation easement and noise easement, and also a covenant, notice and acknowledgment as a condition of approval for applicable developments within the District, as shown in the title of the section. The proposed LMC includes the requirement for only an avigation

and noise easement, and removes the requirement for a covenant, notice and acknowledgment.

- ☐ Amend the language to delete *“that the property is located in Airport Environs Noise District 1, providing for the disclosure of the airport noise and overflight impact to future purchasers.....”*
 - ◆ The addition of the Model Avigation and Noise Easement in the Chapter provides the most clear purpose for the easement. The language which is to be deleted oversimplifies the purpose of the easement.
- ☐ Amend the Chapter to add Figure 27.58.080, *“Model Avigation and Noise Easement”* to reflect the 2002 FAR Part 150 Noise Compatibility Study, and administrative practices of the City of Lincoln and Lincoln Airport Authority. (See Above)
- ☐ Amend the language to delete *“..Executive Director of the Lincoln Airport Authority and City Clerk of the City of Lincoln..”* requiring a copy of the model avigation and noise easement to be on file.
 - ◆ Figure 27.58.080, “Model Avigation and Noise Easement” included in the proposed LMC replaces this requirement for a copy to be on file.

27.58.090 Pre-existing Uses.

- ☐ Amend the language to delete *“or covenant, notice, and acknowledgment”* to reflect administrative practices of the City of Lincoln and Lincoln Airport Authority, as previously described.

27.58.100 Enforcement and Exemption.

- ☐ Amend the language to delete references to *“covenant(s), notice, and acknowledgment”* to reflect the 2002 FAR Part 150 Noise Compatibility Study, and administrative practices of the City of Lincoln and Lincoln Airport Authority, as previously described.
- ☐ Amend the language to add *“avigation and noise easement(s)”* to reflect administrative practices of the City of Lincoln and Lincoln Airport Authority, as previously described.

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